

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/16/2009 has been entered.

Response to Amendment

2. Acknowledgement is made of the amendment filed 09/16/2009, wherein claims 3-5 are pending.

Allowable Subject Matter

3. Claims 3-5 are allowed.

4. The following is an examiner's statement of reasons for allowance: The present claims are allowable over the closest prior art reference of record: JP 2003/183453 ("Toyoda").

Corresponding to the solvent dispersion of claim 3, Toyoda discloses a similar dispersion with the following exceptions: it is silent as to an M_z/M_w value and a penetration hardness value of the disclosed polyethylene wax, and said wax has an

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acid value of 30-100 KOH-mg/g whereas the claimed value is 0.3-9.9 KOH-mg/g. While there is a reasonable basis to believe that the disclosed wax inherently or obviously possesses an M_z/M_w value and a penetration hardness within the claimed ranges, it would not have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified the prior art dispersion to arrive at the claimed dispersion by lowering the acid value for at least the following reason. Toyoda is mainly directed to aqueous dispersions of the polyethylene wax. When a non-aqueous dispersion is called for, Toyoda teaches a method of removing the wax from an aqueous dispersion and re-dispersing it in an organic solvent. The process involves converting the neutralized acid groups on the wax particles to the protonated form, causing the wax particles to aggregate out of the aqueous phase. The wax is obtained as a wet cake, which is then washed with a hydrophilic solvent, and re-dispersed in an organic solvent. Accordingly, one of ordinary skill in the art, in an attempt to employ the prior art wax in a non-aqueous printing ink formulation, would follow the procedure taught in the prior art instead of lowering the acid value of the wax. Further, whereas the claimed solvent dispersion has good storage stability without the use of a stabilizer, Toyoda teaches that, in order to increase storage stability of the solvent dispersion of the wax, a dispersant or a viscosity-adjusting agent may be added.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu Nguyen whose telephone number is (571)270-5454. The examiner can normally be reached on M-F 7:30-5:00 (Alternating Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on 571-272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vu Nguyen
Examiner
Art Unit 1796

/David Wu/
Supervisory Patent Examiner, Art Unit 1796